

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
 03850.026001

Total Pages in this Submission

TO THE COMMISSIONER FOR PATENTS

Mail Stop Patent Application
 P.O. Box 1450
 Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

COORDINATE MEASURING APPARATUS FOR CONTACTING A WORKPIECE, TOUCH PROBE FOR A COORDINATE MEASURING APPARATUS AND METHOD OF OPERATING A COORDINATE MEASURING APPARATUS

and invented by:

Roland ROTH, Karl SEITZ, Kurt BRENNER, Uwe BRAND, Wolfgang HOFFMAN, Thomas KLEINE-BESTEN, Sebastian BUTEFISCH and Stephanus BUTTGENBACH

22387 U 10/646342 PRO
 08/22/03

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: PCT/EP02/01958

Which is a:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Which is a:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. Filing fee as calculated and transmitted as described below
2. Specification having 23 pages and including the following:
 - a. Descriptive Title of the Invention
 - b. Cross References to Related Applications (*if applicable*)
 - c. Statement Regarding Federally-sponsored Research/Development (*if applicable*)
 - d. Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
 - e. Background of the Invention
 - f. Brief Summary of the Invention
 - g. Brief Description of the Drawings (*if filed*)
 - h. Detailed Description
 - i. Claim(s) as Classified Below
 - j. Abstract of the Disclosure

22511
 PATENT TRADEMARK OFFICE

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Application Elements (Continued)

3. Drawing(s) (when necessary as prescribed by 35 USC 113)
a. Formal Number of Sheets 7
b. Informal Number of Sheets _____

4. Oath or Declaration
a. Newly executed (original or copy) Unexecuted
b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
c. With Power of Attorney Without Power of Attorney
d. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).

5. Incorporation By Reference (usable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.

6. CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)

7. Application Data Sheet (See 37 CFR 1.76)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
a. Computer Readable Form (CRF)
b. Specification Sequence Listing on:
i. CD-ROM or CD-R (2 copies); or
ii. Paper
c. Statement(s) Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

9. Assignment Papers (cover sheet & document(s))

10. 37 CFR 3.73(B) Statement (when there is an assignee)

11. English Translation Document (if applicable)

12. Information Disclosure Statement/PTO-1449 Copies of IDS Citations

13. Preliminary Amendment

14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

15. Certified Copy of Priority Document(s) (if foreign priority is claimed) Priority is hereby claimed on
PCT/EP02/01958 filed on
February 25, 2002. A photocopy
of which is enclosed
herein.

16. Certificate of Mailing
 First Class Express Mail (Specify Label No.): EV323172656US of which is enclosed
herein.

Further, Priority is hereby claimed
on German Patent Application No.
101 08 774.8, filed on February
23, 2001, a copy of which will
follow.

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Accompanying Application Parts (Continued)

17. Additional Enclosures (please identify below):

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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U.S. Pat.

Fee Calculation and Transmittal

CLAIMS AS FILED

| For | #Filed | #Allowed | #Extra | Rate | Fee |
|---|--------------------------|----------|--------|-------------------------|-----------------|
| Total Claims | 17 | - 20 = | 0 | x \$18.00 | \$0.00 |
| Indep. Claims | 3 | - 3 = | 0 | x \$84.00 | \$0.00 |
| Multiple Dependent Claims (check if applicable) | <input type="checkbox"/> | | | | \$0.00 |
| | | | | BASIC FEE | \$750.00 |
| OTHER FEE (specify purpose) | | | | | \$0.00 |
| | | | | TOTAL FILING FEE | \$750.00 |

A check in the amount of to cover the filing fee is enclosed. ****Filing Fees Deferred****

The Director is hereby authorized to charge and credit Deposit Account No. 50-0591

as described below.

- Charge the amount of as filing fee.
- Credit any overpayment.
- Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated:

8/22/03

Jeffrey S. Osha
Signature
Jonathan P. Osha, Reg. No. 33,986
ROSENTHAL & OSCHA L.L.P.
1221 McKinney, Suite 2800
Houston, Texas 77010

45,925

cc:

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| | | | |
|--|-------------|----------|----------------|
| CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) | | | Docket No. |
| Applicant(s): Roland ROTH <i>et al.</i> | | | 03850.026001 |
| Serial No. | Filing Date | Examiner | Group Art Unit |

Invention:

COORDINATE MEASURING APPARATUS FOR CONTACTING A WORKPIECE, TOUCH PROBE FOR A COORDINATE MEASURING APPARATUS AND METHOD OF OPERATING A COORDINATE MEASURING APPARATUS

I hereby certify that the following correspondence:

Utility Patent Application (large entity) and Attachments

(Identify type of correspondence)

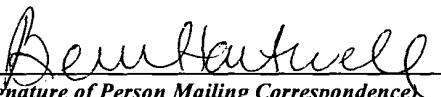
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P.O. Box 1450
Alexandria, VA 22313-1450

on 8-22-03.
(Date)

Beri Hartwell

(Typed or Printed Name of Person Mailing Correspondence)



(Signature of Person Mailing Correspondence)

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